

**GOVERNMENT OF TELANGANA**  
**ABSTRACT**

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local ST Certificates under GO Ms.No.24 of dt.12.6.2018 of TW (LTR.1) Department – Cancellation of certificate by the Collector & District Magistrate, Adilabad District vide Procs.Rc.No.C3/2596/2019-34, dt.30.01.2020 - Appeal filed by Ade Kiran Kumar S/o. Vithal R/o. Venkatapur village of Neradigonda Mandal in Adilabad District – Appeal allowed – Orders – Issued.

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**TRIBAL WELFARE (LTR) DEPARTMENT**

**G.O.Ms.No.26**

**Date:16.11.2020**

**Read the following:-**

1. GO Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Procs.Rc.No C3/2596/2019-34, dt.30.01.2020 of Collector & District Magistrate, Adilabad District
3. Appeal petition filed by Ade Kiran Kumar S/o. Vithal R/o. Venkatapur village of Neradigonda Mandal in Adilabad District, dated 04.02.2020.
4. Govt.Memo.No.226/TW.LTR/2020, dated 13.03.2020
5. Lr.Rc.No.D5/309/2018, dated: 14.07.2020 of District Collector, Adilabad.
6. Notice No.226/TW.LTR/2020, dt. 28.08.2020.

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**ORDER**

In the reference 1<sup>st</sup> read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1<sup>st</sup> read above, the Collector & District Magistrate, Adilabad District in her Procs.Rc.No.C3/2596/2019-34, dated 30.01.2020, has issued orders cancelling the Agency Area ST Certificate bearing No.C/656/2016, dt.12.08.2016 issued by the Tahsildar, Neradigonda Mandal to the Appellant Ade Kiran Kumar S/o. Vithal R/o. Venkatapur village of Neradigonda Mandal in Adilabad District, basing on the following observations of the Scrutiny Committee:

- Though the Tahsildar, Neradigonda has issued Agency Area Certificate vide Lr.No.C/656/2016, dt.12.08.2016, the following anomalies were found which is contrary to the provisions of GO Ms.No.24, TW (LTR.1) Department dated 12.06.2018.
- The unregistered Kowlu Patram document produced in only from the year of 1964 and cannot be verified. The candidate had to prove residence from the year 1950 but only unattested/unregistered documents produced from 1964.
- The candidate has failed to submit any other basic documents to prove residence of forefathers since 1950 before the committee.
  - A show cause notice was issued to Ade Kiran Kumar S/o Vithal R/o Venkatapur village of Neradigonda Mandal to attend before the District Collector, Adilabad on 30.01.2020 to prove his claim as Local ST with relevant material/documents.
  - Accordingly, Ade Kiran Kumar S/o Vithal R/o Venkatapur village of Neradigonda Mandal has attended before the

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District Collector, Adilabad on 30.01.2020 but unable to produce documentary evidences to prove his continuous residence in agency area since 1950.

3. Aggrieved by the above cancellation orders of the District Collector, Adilabad, the Appellant Ade Kiran Kumar S/o. Vithal R/o. Venkatapur village of Neradigonda Mandal in Adilabad District, has filed Appeal before the Government under G.O.Ms.No.24, TW (LTR.1) Dept. dt.12.6.2018. The contentions of Appellant Ade Kiran S/o. Vithal and the documents submitted along with the Appeal and also during the hearing on 05.9.2020 are as follows:

- He and his family belongs to ST (Lambadi) and are residing from forefathers in Venkatapur village of Neradigonda Mandal, which is notified Agency Area.
- The Tahsildar, Neradigonda Mandal, has issued Agency Area Certificate to Ade Kiran Kumar as per GO Ms.No.24, TW (LTR.1) Department, dated 12.06.2018 bearing No.C/292/2019, dated 04.01.2019.
- The said Certificate was issued on the basis of documents produced by him i.e. Koula Patram of 1964 and electoral record of village from 1977 to 2019.
- His forefathers and his family are continuously residing at Venkatapur village (Agency area) before 1950 but their forefathers were landless and used to work as labour i.e. cattle-grazing. Personal records of village like voter list, census, livestock census, records of 1950 are not available.
- The Tahsildar, Neradigonda enquired the matter with the village elders of Venkatapur village and Kuntala-B village which is neighbour village and issued the Agency Certificate and also after conducting Gram Sabha by the Mandal Revenue Officer with the help of Village Revenue Officer of Venkatapur village with the elders of village and obtained copy of resolution of village elders in favour of him "that his grandparents (forefathers) belonging to this village since before 1950 and belonging to ST Lambadi (Agency Local ST).
- Later the Committee verified the documents and recommended the case with remarks to the District Collector, Adilabad, who in turn rejected Agency Certificate.

**Documents submitted along with Appeal Petition and also during hearing on 05.9.2020.**

1. Family Tree – showing Ade Somlibai W/o Kasniya (great grandmother) – Ade Somlibai has three sons viz., 1) Ade Kasiram 2) Ade Nanya (grandfather of appellant) and 3) Ade Kimya. Ade Nanya (grandfather of appellant) has four sons viz., 1) Ade Sakaram 2) Ade Parusuram 3) Ade Vittal (father of appellant) and 4) Ade Kailash. Ade Vittal (father of appellant) has three sons viz., 1) Ade Kiran Kumar (appellant) 2) Ade Kranthi Kumar and 3) Ade Sai Karthik.
2. Copy of agreement written on 3.5.1968 on NJ stamp paper worth Rs.2/- in token of receipt of Rs.550/- as Koul paid by Sri Banoth Nanya S/o Kasna R/o Venkatapur (grandfather of appellant).

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3. Copy of receipt of dated 26.12.1976 in favour of Seetaram S/o Kasinya (eldest brother of grandfather Nanya) for an amount of Rs.114/- issued by Sahakara Parapathi Sangham.
4. Copy of receipt No.78, dt.15.1.1979 issued by Sahakara Parapathi Sangham in favour of Seetaram S/o Kasiram (eldest brother of grandfather Nanya) for an amount of Rs.140/-.
5. Copy of receipt No.6, dt.29.12.1979 issued by Sahakara Parapathi Sangham in favour of Seetaram S/o Kasiram R/o Venkatapur (eldest brother of grandfather Nanya) for an amount of Rs.2102/-.
6. Copy of GP permit dt.31.12.1983 issued by Sarpanch, GP Venkatapur, Tq. Boath – certifying mobilizing cattle of Sri Nanya S/o Kasinya (grandfather of appellant) for sale.
7. Copy of pahani for the year 1972-1973 (Gundivagu) – showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 4.00 acres – as certified by Dy.Tahsildar, Mdl: Ichoda.
8. Copy of pahani for the year 1973-1974 (Gundivagu) – showing name of Nanya S/o Kasinya – as certified by Dy.Tahsildar, Mdl: Ichoda.
9. Copy of pahani for the year 1973-74 (Madhapur) – showing name of Seetaram S/o Kasinya R/o Venkatapur (eldest brother of grandfather of appellant) – as certified by Dy.Tahsildar, Mdl: Ichoda.
10. Copy of pahani for the year 1974-1975 (Gundivagu) – showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 5.00 acres – as certified by Dy.Tahsildar, Mdl: Ichoda.
11. Copy of pahani for the year 1975-1976 (Gundivagu) – showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 5.00 acres – as certified by Dy.Tahsildar, Mdl: Ichoda.
12. Copy of pahani for the year 1977-1978 (Gundivagu) – showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 5.00 acres – as certified by Dy.Tahsildar, Mdl: Ichoda.
13. Copy of pahani for the year 1978-1979 (Gundivagu) – showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 1.30 acres as certified by Dy.Tahsildar, Mdl: Ichoda.
14. Copy of pahani for the year 1979-1980 (Gundivagu) – showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 1.30 acres as certified by Dy.Tahsildar, Mdl: Ichoda.
15. Copy of pahani for the year 1980-1981 (Gundivagu) – showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 2.00 acres as certified by Dy.Tahsildar, Mdl: Ichoda.
16. Copy of pahani for the year 1981-1982 (Gundivagu) - showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 2.00 acres as certified by Dy.Tahsildar, Mdl: Ichoda.
17. Copy of pahani for the year 1982-1983 (Gundivagu) – showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 2.00 acres as certified by Dy.Tahsildar, Mdl: Ichoda.

18. Copy of pahani for the year 1983-1984 (Gundivagu) – showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 2.00 acres as certified by Dy.Tahsildar, Mdl: Ichoda.
19. Copy of pahani for the year 1984-1985 (Gundivagu) – showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 2.00 acres as certified by Dy.Tahsildar, Mdl: Ichoda.
20. Copy of pahani for the year 1985-1986 (Gundivagu) – showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 2.00 acres as certified by Dy.Tahsildar, Mdl: Ichoda.
21. Copy of pahani for the year 1986-1987 (Gundivagu) – showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 2.00 acres as certified by Dy.Tahsildar, Mdl: Ichoda.
22. Copies of pahani for the years 1987-88, 1988-89, 1995-96, 1996-97, 1997-98, 1998-99, 1999-2000, 2002-03, 2003-04, 2006-2007, 2009-2010 and 2010-2011 (Gundivagu village) showing name of Nanya S/o Kasinya (grandfather of appellant) for an extent of 2.00 acres as certified by Dy.Tahsildar, Mdl: Ichoda.
23. Copy of letter No.166/R2D/2019, dt. 6.2.2019 issued by Asst.Director, Telangana State Archives & Research Institute, Tarnaka, Hyderabad, stating that the electoral rolls for the years 1954, 1961 etc are not available.
24. Copy of voter list for the year 1975 – of Venkatapur village – Boath Taluq – showing names of Nanya S/o Kasinya (grandfather of appellant), Patnibai W/o Nanya (grandmother of appellant), Somilibai W/o Kasinya (great grandmother of appellant) and Seetaram S/o Kasya (brother of grandfather of appellant) at Sl.Nos.92,93,94,95 under H.No.1-51.
25. Copy of voter list for the year 1977 – Venkatapur village – Boath Taluq – showing names of –do-.
26. Copy of Certificate of Proof of Local ST Candidate – bearing No.C/1581/2000 issued by Mandal Revenue Officer Neradigonda to Sri Vittal S/o Nanya certifying that he and his parents have been residing in Venkatapur, an agency village since 1950.
27. Copy of Community, Nativity and Date of Birth Certificate issued by the MRO, Neradigonda to Ade Vittal S/o Ade Nanya certifying that he is native of Venkatapur village of Neradigonda Mandal.
28. Copy of Community, Nativity & Date of Birth Certificate issued by Tahsildar, Neradigonda on 21.06.2014 to Kumar Ade Kiran Kumar S/o Ade Vittal R/o Venkatapur village of Neradigonda Mandal – belongs to Lambadis-Sl.No.29 (ST) community, a native of Venkatapur village. His date of birth is 2.6.1997.
29. Copy of certificate of proof of Local ST candidate – issued by Tahsildar, Neradigonda bearing No.C/565/2016, dt.12.08.2016 certifying that Sri Ade Kiran Kumar S/o Vittal R/o Venkatapur village belongs to ST Lambada community and on enquiry the applicant and his parents have been residing in Venkatapur village of Neradigonda Mandal of Adilabad District, which falls within the scheduled area since 26.1.1950.

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30. Copy of Agency Area Local ST Certificate bearing Rc.No.C/292/2019, dt.04.01.2019 issued by Tahsildar, Neradigonda certifying that he and his parents have been continuously residing in Venkatapur village since 26.1.1950 which is a notified scheduled village.
31. Copy of declaration by village elders dt.8.10.2018 wherein they have stated that Ade Kiran Kumar S/o Vittal and his forefathers have been continuous residents of Venkatapur, an agency village in Neradigonda Mandal. During those days, they take out their livelihood working as cattle-grazers, agricultural labourers etc. They do not have any land before 1950.
32. Copy of declaration by village elders' dt.8.11.2019 – wherein they have stated that the family of Sri Banavath Nanya (grandfather of appellant) have been continuously living in Venkatapur village before 1950 and doing agricultural labour and grazing of cattle etc. They also cultivated land in 1964 as Kouldar and as pattedar from 1971 onwards.
33. Declaration in original by village elders dt.20.03.2020 – wherein it was stated that Ade Kiran Kumar S/o Ade Vittal S/o Nanya S/o Kasinya have been continuously living in Venkatapur agency village of Neradigonda Mandal prior to 1950. They lived as cattle-grazers and agricultural labourers. They worked under one Lakmanaik S/o Chatrunaik. The declaration was signed by Sarpanch of GP Venkatapur, Mdl: Neradigonda.
4. Vide reference 4<sup>th</sup> read above, the District Collector, Adilabad has been requested to submit original record pertaining to the case along with para-wise remarks.
5. Accordingly, vide reference 5<sup>th</sup> read above, the District Collector, Adilabad District has submitted original record of the case along with para-wise remarks.
6. Vide reference 6<sup>th</sup> read above, a Notice has been issued to the Appellant to attend for hearing on 05.09.2020 at 11.00 AM before the Government to prove her claim along with documentary evidences. Accordingly, the Appellant has attended for hearing on 05.09.2020, and submitted the documents as submitted along with Appeal Petition.
7. The above documents and the declarations by village elders duly certified by the Sarpanch of the Gram Panchayath Venkatapura, it goes to prove that the appellant Ade Kiran Kumar S/o Vittal and his forefathers have been continuous residents of Venkatapur, an agency village in Neradigonda Mandal of Adilabad District since 26.1.1950.
8. Government after careful examination of the documents available on record, documents submitted by the Appellant along with the appeal petition, during the hearing on 5.9.2020 and also in the light of the interim orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh in interim orders passed in IA No.1 of 2018 in WP No.31426 of 2018, dated 5.9.2018 and in IA No.1 of 2018 in WP No.32413 of 2018, it is found that the Appellant and his forefathers are residents of Venkatapur, an agency village in Neradigonda Mandal of Adilabad District since 26.1.1950 and the LSTAC bearing No.C/656/2016, dt.12.08.2016 and also another certificate bearing Rc. No. C/292/2019, dt.4.1.2019 (in terms of GO Ms.No.24, dt.12.06.2018)

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issued by the Tahsildar, Neradigonda Mandal to the Appellant Ade Kiran Kumar, S/o. Vithal R/o. Venkatapur village of Neradigonda Mandal in Adilabad District is found genuine and valid.

9. Accordingly, Government hereby set aside orders of the District Collector, Adilabad in Procs.Rc.No.C3/2596/2019-34, dated 30.01.2020 and allow the Appeal petition filed by the appellant Ade Kiran Kumar, S/o. Vithal R/o. Venkatapur village of Neradigonda Mandal in Adilabad District.

10. The Collector & District Magistrate, Adilabad District shall take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**Dr. CHRISTINA Z.CHONGTHU  
SECERETARY TO GOVERNMENT**

To

The Collector & District Magistrate, Adilabad District.

Ade Kiran Kumar S/o. Vithal R/o. Venkatapur village of Neradigonda Mandal in Adilabad District.

Copy to:

- 1.The Secretary, Telangana State Public Service Commission, Hyderabad (for information & necessary action)
- 2.The Project Officer, ITDA Utnoor, Adilabad District (for information & necessary action)
- 3.The District Educational Officer, Adilabad (for information & necessary action)
- 4.The PS to Hon'ble Minister for ST Welfare for information.
- 5.The PS to Secretary (TW)  
SF/SC.

**//FORWARDED:: BY ORDER//**

**SECTION OFFICER**